

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of the Claims

Claims 1-14 (canceled)

Claim 15 (currently amended): An artificial intervertebral disk insertable between two adjacent vertebral bodies of a patient, the artificial intervertebral disk comprising:

two outer elements, each associated with one of the two vertebral bodies,

an intermediate element having an annular closed oval shape and defines an annular central axis, and has an ogival or oval cross-section crosswise to the annular central axis at least in sections, wherein the intermediate element joins and joining the two outer elements in a restricted, articulated manner such that torsional moments and shear forces are transmittable, wherein each of the two outer elements have an annular and concave contour and is joined in a form-fitting manner to the intermediate element at the contour, and wherein the contour forms a recess and is oversized relative to the intermediate element such that a compression of the intermediate element allows a defined deformation of the disk.

Claim 16 (canceled)

Claim 17 (canceled)

Claim 18 (previously presented): The intervertebral disk as recited in claim 15, wherein the contour has a friction-optimized surface texture.

Claim 19 (previously presented): The intervertebral disk as recited in claim 15, wherein the contour

has a surface texture that increases the friction, at least in sections, so as to create a frictional connection between the two elements and the intermediate element at the sections.

Claim 20 (canceled)

Claim 21 (previously presented): The intervertebral disk as recited in claim 15, wherein the compression stems from a movement by the patient.

Claim 22-24 (canceled)

Claim 25 (previously presented): The intervertebral disk as recited in claim 15, wherein the intermediate element defines an annular central axis and has differing cross sections in a direction of the central axis and wherein the contour is correspondingly shaped.

Claim 26 (previously presented): The intervertebral disk as recited in claim 15, wherein a cross section of the intermediate element is widened in at least one of a sagittal plane, an intermediate plane, a frontal plane and a transversal plane of the patient.

Claim 27 (previously presented): The intervertebral disk as recited in claim 15, wherein the intermediate element is at least partially made of a polymer.

Claim 28 (previously presented): The intervertebral disk as recited in claim 27, wherein the polymer includes polyethylene.

Claim 29 (previously presented): The intervertebral disk as recited in claim 15, wherein the two outer elements include anchoring elements disposed on a side facing the vertebral bodies and configured to anchor the outer elements in the bone of the vertebral bodies.

Claim 30 (previously presented): The intervertebral disk as recited in claim 29, wherein the

Application No. 10/599,524
Amendment dated February 19, 2009
After Final Office Action of September 19, 2008

Docket No.: 20802/0205146-USO

anchoring elements include anchoring pins.

Claim 31 (previously presented): The intervertebral disk as recited in claim 29, wherein the outer elements and anchoring elements are coated with a biocompatible material on the side facing the vertebral bodies.

Claim 32 (previously presented): The intervertebral disk as recited in claim 31, wherein the biocompatible material includes titanium.